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ELECTRONICALLY FILED
DOC #: _____
DATE FILED: 4/9/2025

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

In re:

PAUL R. KOCH,

Debtor.

PAUL R. KOCH,

Appellant,

-against-

THOMAS C. FROST and CONNECTICUT STATE
DEPARTMENT OF ADMINISTRATIVE
SERVICES,

Appellees.

Bankr. No. 24-20001 (CGM)

No. 24-CV-779 (NSR)

ORDER

NELSON S. ROMÁN, United States District Judge:

Pro se appellant, Paul R. Koch, (the “Appellant”) brought this action pursuant to 28 U.S.C. § 158 seeking to appeal a judgment of the United States Bankruptcy Court for the Southern District of New York. Appellant filed his notice of appeal on February 2, 2024. (ECF No. 1.) On the same day, Appellant also filed a “Motion for Leave to Appeal Document.” (ECF No. 4.) On March 4, 2024, the Court issued a memo endorsement instructing Appellant to “file a motion clarifying the relief he is seeking and the grounds for such relief on or before March 22, 2024.” (ECF No. 6.) Appellant never filed a subsequent motion or any other response to the Court’s memo endorsement of March 4, 2024.

Courts are empowered to dismiss claims for failure to properly and timely file appeals from bankruptcy courts. *See* Federal Rule of Bankruptcy Procedure 8006, 8009. In this district, courts have dismissed bankruptcy appeals for failure to comply with Fed. R. Bankr. P. 8009 due to bad faith, negligence, or dilatoriness. *See In re Truong*, 388 B.R. 43, 44 (S.D.N.Y. 2008). Courts have

done so even in the context of *pro se* appeals. *See Edwards v. Immigration and Naturalization Serv.*, 59 F.3d 5, 8 (2d Cir.1995) (concluding that *pro se* litigants are given some latitude but are still required to learn and comply with procedural rules). Here, it has been over a year since the Court's instructions for Appellant to file a motion that clearly states the basis for his appeal. Having failed to comply, the Court now dismisses Appellant's appeal. *See Fed. R. Bankr. P.* 8006, 8009; *see also In re Bucurescu*, No. 01 CIV.2799 SHS, 2003 WL 21297282 (S.D.N.Y. June 4, 2003) (dismissing *pro se* appellant's claims due to failure to timely file their papers after over a year.) The Clerk of Court is directed to terminate the action and to mail a copy of this Order to *pro se* Appellant at his address as it is listed on ECF and to show service on the docket.

Dated: April 9, 2025
White Plains, New York

SO ORDERED:



NELSON S. ROMÁN
United States District Judge